

Interview Summary

Application No.

09/658,016

Applicant(s)

SIMONE ET AL.

Examiner

Tony Mahmoudi

Art Unit

2175

All participants (applicant, applicant's representative, PTO personnel):

(1) Kurt M. Pankratz (Attorney of Record).

(3) Tony Mahmoudi.

(2) Charles L. Rones.

(4) _____.

Date of Interview: 23 September 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1-7.

Identification of prior art discussed: None.


Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The examiner called the attorney of record to discuss 35 U.S.C. 101 issues with independent claim 1, and made recommendations to amend claim 1, to overcome the noted 101 issues. Claim 1 contained "Functional Descriptive Material" and "Abstract Ideas" for a "method", with no indication that the "method" could not function manually (without the use of a computer). The examiner recommended that claim 1 be amended to include "a computer implemented method", "executing a computer program" to perform the recited steps. The attorney faxed to the examiner an amendment on 23-September-2003, authorizing the examiner to enter an "examiner's amendment" to overcome the cited 101 issues.